

E-mail: hstatter@firewise.net

MOUNTAIN LEGENDS RANCH

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

CONCEPT PLAN

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Concept Plan Review is the first of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received, review the application for completeness and then schedule a Concept Review Meeting between the Applicant and the Planning Administrator or his or her designee. The application is constituted accepted upon completion of the checklist items and the review meeting with the Administrator. The Administrator will prepare a staff report for the Applicant within sixty (60) days. It is recommended that the Applicant review Titles 6, 8 and 9 of the Teton County Code prior to submittal. These Titles along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

To expedite the review of your application, please be sure to address each of the following items.

Mailing Address: PO Box 10586

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Peacock Property LLC

Phone: (307) 732-3986

Applicant: Peacock Property LLC

City:Jackson	_State: WY	Zip Code: 83002
Engineering Firm: Arrowleaf Engineering Conta	ct Person: Sarah Johnston	Phone: (307) 413-6373
Address: 55 S 5th E, Driggs ID 83422	E-mail: arrowleafeng	ineering@gmail.com
Location and Zoning District:		RP05N46E084500
Address: N Stateline Rd & N 1500 E	Parcel Number:	
Section: 7 & 8 Township: 5 N Range	: 46 E Total Acreage:	197.05 acres
Proposed Units/ Lots:Propos	sed Open Space Acres:	~100 acres
Proposing a Subdivision ⊠ Zoning: A 2.5 ⊗ A 20 □	Proposing a Planned Uni	The state of the s
■ Latest recorded deed to the property	☐ Affidavi	of Legal Interest
		ication conference completed
10% of total base fee (see current fee sche +0+a) $+0+a$ $+0+$	edule)	
Teton County, Idaho Concept Application 5.5.2011		1 0 (3

and :	Zoning Commission public hearing.	
	Applicant Signature: Date: 6/7/16	
to be	Member Sale for Management U. Manager Fraccist Frage by the se undersigned, am the owner of the referenced property and do hereby give my permission to Arrowleast Ingineer: e my agent and represent me in the matters of this application. I have read the attached information regarding the lication and property and find it to be correct.	
•	Owner Signature: Date: 6/7/16 Mentour Statel Mongantic, Manager Peacock Rogery LLC Fees are non-refundable.	

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning

SECTION II: CONSIDERATION FOR APPROVAL

Please submit narrative referencing the following:

- The conformance of the subdivision/PUD with the comprehensive plan.
- The availability of public services to accommodate the proposed development.
- · The conformity of the proposed development with the capital improvements plan.
- The public financial capability of supporting services for the proposed development.
- · Other health, safety or general welfare concerns that may be brought to the County's attention.

SECTION III: CHECKLIST OF ITEMS REQUIRED ON THE PLAN/PLAT DOCUMENT

1. Number of Plan:

 Two (2) Plans (11" X 17" or 18" X 24") and digital copy prepared by a professional land Surveyor/Engineer

2. Items on Plan/Plat:

- Plat is labeled "Concept Master Plan" in the lower right corner
- · Open space, as required
- Neighboring property boundaries and owners within 300 feet
- Date prepared and date of any revisions
- Scale of drawings
- North arrow
- Vicinity map
- Section(s), Township, Range
- · Specific phase, if any, has been labeled

3. Topographical Information:

- Contour lines
- Flood hazard area, if any
- Overlay areas

4. Design Requirements:

- Total acreage
- Number of lots and size
- Street layout including width and designation of county road access with notation of approaches, if applicable, no closer than 300 feet to one another
- Existing streets and names within 200 feet
- · Easements for irrigation, water, sewer, power and telephone

SECTION IV: CHECKLIST OF REQUIRED ITEMS

Please submit narrative or renderings addressing each of the following categories:

1. Water Issues:

- Description of irrigation system
- · Description of culinary water system
- Water rights
- Description of waste system
- Natural drainage channels
- · Storm and surface water drainage

2. Maps Required:

- Soil types
- Geographical hazards

3. Availability and capability of public services:

These topics are to be addressed in a general way. A Public Service/ Fiscal Analysis may be required at the Preliminary Plat stage, at which time these items will be addressed in detail.

- Fire protection
- Police protection
- Public road construction and maintenance
- Central water
- Central sewer
- Parks and open space
- Recreation
- Infrastructure/open space maintenance
- Schools
- Solid waste collection
- Libraries
- Hospital
- Estimate of tax revenue

4. Zone Change, if any:

- Current Zoning District
- Proposed Zoning District
 - Submit completed Zone Change Application

5. Other Land Use Applications, if any:

- Scenic Corridor
- Conditional Use Permit
- Variance

	Other:	
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SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is considered complete and	accepted on this the	1 day of June	201 4 200=
Planning Administrator/Designee Signature:	Vin	W	



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Applicant: Peacock Property LLC E-mail: hstatter@firet	0	~ ,	
Phone: (307) 732-3986 Mailing Address: PO Box 10586	91	16 Dod	
City: Jackson State: WY Zip (20	20/00/	8
Engineering Firm: Arrowleaf Engineering Contact Person: Sarah Johnston Phon	9	20 20	9
Address: 55 S 5th E, Driggs ID 83422 E-mail: arrowleafenginee	ģ	9	\$
		out-thr	,
Location and Zoning District:	÷	大学	
Address: N Stateline Rd & N 1500 E Parcel Number: RP(lred	
Section: 7 & 8 Township: 5 N Range: 46 E Total Acreage: 19	υ V	hun	
Proposed Units/ Lots: 78 Proposed Open Space Acres: ~10	ARROWLEAF ENGINEERING, PC 55 South 5th East Driggs, ID 83422 507-413-6373	× ×	
	NEER	40	4
Proposing a Subdivision ⊠ Proposing a Planned Unit Deversion A 2.5 ⊠ A 20 □ Planned Community □ Rural	NGI	150	1
□ Affidavit of L □ Affidavit of L	AF East 422	hou	2 7
□ Development name approved by GIS	5th 5th 0 83	t of	00mm 008 17 17 18342
≥ 10% of total base fee (see current fee schedule)	ARROWLEAF 55 South 5th East Driggs, ID 83422 307-413-6373	ler be	Bank of Come Driggs Office PO Box 787 Driggs, ID 834
total fee = \$16322.00 10% = \$1632.20	AR 55 S Drig 307-	Pay to the Order of	Drigg Political
10% = \$1632.20			CXYLC

MOUNTAIN LEGENDS RANCH SUBDIVISION PROJECT NARRATIVE

Teton County, ID

June 21, 2016

PREPARED FOR:

Peacock Property LLC PO Box 10586 Jackson, WY 83002

PREPARED BY:

DRIGGS, ID 83422

INTRODUCTION

The Mountain Legends Ranch Subdivision is a proposed residential subdivision in Teton County, Idaho. The site is approximately 197 acres and is comprised of two parcels of land connected by an access easement across the interlaying property. Access to the subdivision is from Stateline Road and County Road N1500E / Grand Teton Road. The site is zoned A/RR-2.5; the proposed development consists of 76 residential lots with a minimum lot size of 2.5 acres.

PROJECT COMPONENTS

Access & Circulation

The development will be accessed via North Stateline Road and County Road N1500E / Grand Teton Road. Lots within the subdivision will be served by an internal private roadway network. All roads within the subdivision will be constructed to Teton County street guidelines for local roads. Maintenance and plowing of the subdivision roads will be the responsibility of the Mountain Legends Ranch Subdivision Homeowner's Association.

Setbacks & Building Envelopes

In all cases, building setbacks will comply with the minimum setbacks required by Teton County. Building envelopes, which often exceed the minimum setback requirements, are being implemented in the subdivision covenants, conditions, and restrictions (CCR) to further limit the location of future buildings.

Open Space and Density

There is no requirement for open space in the A/RR-2.5 zoning district. Moreover, the proposed development will provide for an open space easement in the CCR. The open space will be reserved for agriculture, wildlife habitat, and pedestrian use. The following table shows density of Mountain Legends Ranch and surrounding development.

Subdivision	Total Acreage	Total Lots	Lots Per Acre
Alta Vista I	16.55	11	0.66
Alta Vista II	29.28	15	0.51
Total Alta Vista	45.83	26	0.57
Bear Creek	5.4	3	0.56
Bear Creek Estates Block 1	19.39	10	0.52
Total Bear Creek	24.79	13	0.52
Saddlehorn Ranch	250.31	122	0.49
Mountain Legends Ranch	197.05	76	0.39
Teewinot	246.72	85	0.34
Bridger Ridge Mini Subdivision	21.14	2	0.09

Irrigation Water

The proposed development property has three water rights:

- 1) Idaho Water Right 22-13684 Priority Date 1894 for .56 cfs in the name of Peacock Property LLC
- 2) Idaho Water Right 22-13685 Priority Date 1908 for 2.23 cfs in the name of Peacock Property LLC
- 3) Idaho Water Right 22-13327 Priority Date 1892 for 17.23 cfs in the name of the Grand Teton Pipeline Association. Peacock Property LLC owns 80 shares in the association.

Domestic Water

Domestic water will be provided by individual wells on each lot. Installation, maintenance, and permitting of domestic wells will be the responsibility of individual lot owners.

Stormwater

During initial construction appropriate erosion control measures and best practices will be used to minimize erosion and pollution. The proposed development maintains the natural drainage patterns of the site to the maximum extent practicable. The predominant natural drainage channel on the site is a dry swale running from east to west. A detailed Stormwater Management Plan will be prepared and submitted with the Preliminary Plat Application.

Wastewater

Wastewater treatment will be accomplished using a small individual septic system on each lot. The septic systems must be designed, constructed, and maintained in accordance with Eastern Idaho Public Health standards. Permitting, construction, and maintenance of septic systems will be the responsibility of individual lot owners.

Fire Protection

A fire pond with a dry hydrant will be provided in a central location. The fire pond and dry hydrant will be constructed with the first phase of the development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Mountain Legends Ranch Subdivision is located in what the Comprehensive Plan determines to be a "neighborhood" area. The Comprehensive Plan identifies two main types of land uses, one type is "neighborhood" and the other is "rural". The neighborhood areas "are appropriate for varying degrees of residential, commercial, and light industrial development". The Comprehensive Plan identifies three types of neighborhood areas: Town Neighborhood, Industrial/Research, and Rural Neighborhood. The Mountain Legends Ranch Subdivision is located in an area that the Comprehensive Plan Framework Map identifies as being Rural Neighborhood. In contrast, rural areas "are located further from the towns or in places of greater sensitivity" and are less appropriate for residential development.

Rural Neighborhood Desired Characteristics

- A transitional character in between that of Town Neighborhoods and Rural Areas
 The density and character of the proposed subdivision provides this desired transition.
- Medium density single family neighborhoods with large open spaces and provisions for clustering
 - The proposed subdivision is a medium density single family neighborhood with extensive open space easement areas.
- Amenity-based neighborhoods
 - The proposed development is located approximately 5 miles from Driggs, 2 miles from Alta and Ski Hill Road, and 10 miles from Grand Targhee.
- Safe and convenient street and pathway connections within these areas and, when practical, to Towns
 - The proposed subdivision provides safe and convenient internal circulation.
- *Well-defined open space areas that connect to provide corridors*The proposal includes significant open space easement areas. Unfortunately, adjacent subdivisions do not have open spaces to connect to.
- *A clear distinction between residential development and open space/agricultural areas*The proposed subdivision contains agricultural open space easement areas. The CCR will clearly delineate and define the buildable areas and the open space easement.
- Goal ED 1: Develop a coordinated and collaborative economic development strategy that encourages, promotes and supports locally-owned businesses and creates a hospitable and attractive environment for businesses and tourists.

 This policy is not applicable.
- Goal ED 2: Preserve our rural character and heritage and promote local agricultural industries.

 The proposed development includes functional agricultural open space easement areas to foster rural character and promote local agriculture.
- Encourage development and land use proposals that support prime economic values of rural character and heritage.This proposed development uses rural character and open space to maximize economic value.
- 2.2 Promote local agricultural industries and businesses.

 This proposal incorporates farming into the development itself. The residences within the development are located near the main thoroughfare between Town and Resort; this proximity provides housing opportunities and convenient access to
- 2.3 Promote smart growth strategies that help preserve rural character by enhancing existing communities and directing development towards them.

existing amenities and businesses.

This proposal is in keeping with the existing neighborhoods surrounding the site. This proposal has similar or lower density than several nearby subdivisions. The existing community or "rural neighborhood" will be enhanced by this development and its incorporation of open space.

- 2.4 Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.

 This policy is not applicable.
- 2.5 Encourage development that adheres to environmental standards.

 This development adheres to environmental standards and best practices.
- 2.6 Encourage policies and resources which enable farms to adapt to changing paradigms.

This development enables farms to adapt to a changing paradigm by preserving farmable land in the subdivision open space.

- Goal ED 3: Recognize that tourism and lifestyle are fundamental components of our economy and are dependent on healthy natural resources.

 This development site was chosen because it is does not contain unique natural resources. There are NO natural resource overlays on the property.
- 3.1. Encourage economic development through the promotion of recreational opportunities and natural resources.

The development's open space provides pedestrian recreation opportunities for residents. The development promotes the protection of natural resources by providing housing opportunities in an area outside the mapped Natural Resource Overlays.

- 3.2. Conserve Teton County's natural resources in order to enhance economic development.
 - There are no unique or sensitive natural resources on the site.
- Goal ED 4: Accommodate additional population by supporting development that is economically responsible to the County and the community.
 - This development provides housing opportunities and is economically responsible.
- 4.1 Assess the public service requirements of new developments and weigh their off-site impacts against projected changes in revenue before approving new developments.

 A detailed Fiscal Impact Analysis will be prepared and submitted with the Preliminary Plat Application.
- 4.2 Support local retail by placing adequate residential density in close proximity to businesses.

The proposed development is located approximately 5 miles from Driggs, 2 miles from Alta, and 10 miles from Grand Targhee.

- Consider the economic impact of supply and demand in residential development.

 There is an often-touted excess of lots in Teton County; however, many of the referenced lots are unbuildable due to non-compliance with development agreements or are non-practical for building due to unnecessarily large minimum square footage or other CCR requirements. The market indicates there is demand for the proposed lots.
- 4.4 Utilize a variety of regulatory and incentive-based tools to reduce density in sensitive areas and encourage density in areas where services exist.

The proposed development is not located in a sensitive area. The proposed density is comparable to that of other neighborhood-type developments in the area.

- 4.5 Limit commercial retail business to Driggs, Victor and Tetonia.

 The proposal supports this policy; there are no commercial retail uses proposed in the development.
- 4.6 Provide a variety of housing types that are accessible to a socially and economically diverse population.

The proposal supports this policy by allowing smaller homes than many existing subdivisions in rural neighborhoods.

- 4.7 Encourage creative economic solutions such as live-work opportunities and appropriate home businesses.
 - This policy is applicable to planning policy, but is not applicable to this proposal.
- 4.8 Encourage the development of low-density, high-quality neighborhoods adjacent to existing cities.

This development is located in the Rural Neighborhood area of the Framework Map due to its proximity to Driggs and the established land use pattern in the area.

4.9 Maintain rural areas that encourage farming and ranching and support low density residential development.

The development incorporates agricultural open space that will help foster the rural character of the site and allow continued farming.

- Goal ED 5: Support the development of a communications Master Plan. This policy is not applicable.
- Goal T 1: Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.

The HOA will maintain all subdivision infrastructure including roads.

1.1	Improve the conditions and safety for vehicles, bicycles and pedestrians of existing transportation infrastructure, especially roads important for agriculture. This policy is not applicable.
1.2	Identify and implement financing mechanisms to pay for needed transportation maintenance and improvements. This policy is not applicable.
1.3	New development will provide adequate transportation facilities to accommodate needed services. A Traffic Impact Study will be completed and submitted with the Preliminary Plat Application.
1.4	Adopt a variety of design standards for all transportation infrastructure. This policy is not applicable.
1.5	Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles. The proposed development is not adjacent to Public Lands.
1.6	Educate and inform the public regarding transportation goals, costs and benefits; road construction and maintenance; and plowing schedules and policies. This policy is not applicable.
1.7	When key infrastructure (roads, bridges, pathways, etc) is damaged or destroyed by naturally occurring events, including deterioration due to age and use, it should be replaced within as short a timeframe as feasible to avoid disruption of service to the public. This policy is not applicable.
Goal T 2:	Create convenient, safe, timely, financially sustainable and efficient options for multi- modal* transportation that satisfies a multitude of needs. This policy is not applicable.
Goal T 3:	Provide a well-connected transportation network within Teton Valley and within the region. This policy is not applicable.
Goal T 4:	Develop transportation appropriate for a rural community, respectful of the unique character of Teton Valley. This policy is not applicable.
Goal T 5:	Support continued improvements to the Driggs Memorial Airport to support Teton County's aviation needs. This policy is not applicable.

Goal NROR 1: Conserve our public lands, trail systems, and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, viewsheds, soundscape, soils, open space, native vegetation).

The proposed development uses easements and building envelopes to conserve open space. Building envelopes are proposed to enhance the quality of meaningful farmable ground, as well as to further protect views. The site has been farmed with a palette of native and agricultural vegetation; the current perennial hay mix used on the site is a mix of native and non-native species with commercial and forage value. There are no unique or sensitive natural resources on the site. There are no trail systems in the area. Public Lands are not affected by the proposal.

Goal NROR 2: Enhance and preserve access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources.

There are no Public Lands adjacent to the site; this policy is not applicable.

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating, non-motorized flight) as a means for economic development and enhanced quality of life.

This policy is not applicable.

Goal NROR 4: Balance private property rights and protection of our natural resources.

4.1 Ensure that development regulations balance natural resources protection, viewshed protection and growth, are clear and predictable, and preserve the economic value of the land.

The proposed development provides a balance of housing opportunities and agricultural open space in a way that preserves the economic value of the land.

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires.

The site is not located in a high-hazard area.

Goal NROR 6: Promote natural resource protection by a variety of means including financial compensation for willing buyer/willing seller agreements that promote open space acquisition and land and water easements.

This development is voluntarily including open space easements.

- Goal NROR 7: On public lands and accesses, balance recreation with protection of natural resources. This policy is not applicable.
- Goal NROR 8: Respect sensitive habitat and migration areas for wildlife.

 The site does not have any migration corridors or sensitive areas.

Goal CEF 1:	Provide high-quality public and private services and facilities in a coordinated manner for the health, safety, and enjoyment of the community. This policy is not applicable.
Goal CEF 2:	Encourage the development and support of high-quality education facilities (primary, secondary and post-secondary) and diverse and affordable activities for all ages. This policy is not applicable.
Goal CEF 3:	Encourage an environment that fosters community involvement. This policy is not applicable.
Goal CEF 4:	Adequately fund existing and future public services and facilities. This policy is not applicable.
Goal ARH 1:	Preserve and enhance Teton Valley's small town feel, rural heritage and distinctive identity.
1.1	Ensure that planned growth maintains Teton Valley's rural character. The development is maintaining the rural character of the area by implementing agricultural open space easements, while also providing moderate residential density where residential density has been identified as a community value.
1.2	Encourage vacation of subdivision plats where appropriate and viable. This policy is not applicable.
1.3	Ensure that open spaces are managed responsibly. The CCR will include language that will make management of the open space easements the responsibility of the HOA.
1.4	Maintain the County's rural heritage through the scenic corridors. The site is not in a scenic corridor; this policy is not applicable.
1.5	Support the preservation of open space, farmland, natural beauty, and critical environmental areas. The development is using open space easements to help promote farmland and natural beauty on the site. There are no critical environmental areas on the site.
1.6	Encourage higher density development in the cities of Driggs, Victor, and Tetonia. The density of this proposal is consistent with the vision of the Comprehensive Plan for this area.

Goal ARH 2: Balance property rights and rural character.

This development provides residential housing opportunities and preserves the rural neighborhood character of the area. $\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) \left$

Goal ARH 3: Support and enhance agriculture and ranching.

This proposal supports agriculture by using agricultural open space easements.

Goal ARH 4: Respect cultural heritage sites.

This policy is not applicable.

Goal ARH 5: Reduce infestation/introduction of invasive species.

Control of invasive species will be addressed in the CCR.

AVAILABILITY AND CAPACITY OF PUBLIC SERVICES

Public water and sewer systems are not available to serve the proposed development; the subdivision will utilize private well and onsite septic systems. Fire protection in this area is provided by Teton County Fire & Rescue. Law enforcement is provided by the Teton County Sheriff. The area is served by the Teton School District 401. Solid waste collection is available from RAD Curbside. The nearest hospital is the Teton Valley Hospital, and emergency response is provided by the Teton County Ambulance Service District.

A detailed Fiscal Impact Analysis will be prepared and submitted with the Preliminary Plat Application.

CONFORMANCE WITH THE CAPITAL IMPROVEMENTS PLAN

The Capital Improvements Plan assumes an average density of 50-80 units per 100 acres for the area of the proposed subdivision. The density of the proposed development is 38.6 units per 100 acres. The proposed density is significantly less than the density assumed for this area in the Capital Improvements Plan.

All required Development Impact Fees will be paid in accordance with the Teton County Capital Improvement Plan in effect at the time of building permit issuance.

OTHER HEALTH, SAFETY, OR GENERAL WELFARE CONCERNS

There are no FEMA Special Flood Hazard Areas (SFHA) mapped on the site. There is no surface water on the site. The site is not located in a Natural Resource Overlay. No critical habitat areas are known or mapped on the subject site. The site is mapped as "Class 1: Low Liquefaction Susceptibility", the lowest risk of three categories relating to earthquake hazard.

181457

RECEIVED

File Number: 50383

RECORDING REQUESTED BY:

Teton County Title

OCT 18 2006 TETON CO., ID

AND WHEN RECORDED MAIL TO:

Teton County Title PO Box 338 Victor, ID 83455

WARRANTY DEED

FOR VALUE RECEIVED

The Bank of Commerce, Trustee for the Joseph W. Peacock & Claudia W. Peacock Trusts

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Peacock Property, LLC, A Delaware limited liability company

the grantee, whose current address is PO Box 10586, Jackson, WY 83002

the following described premises, to wit:

The North 1/2 of the Southeast 1/4 of Section 7, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho

Together with all water rights appurtenant to and associated with the above-described property, including all shares in the Grand Teton Pipeline Association held by Grantor.

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 17, 2006

The Bank of Commerce, Trustee for the Joseph W. Peacock Trust & Trustee of the Joseph W. Peacock and Claudia W. Peacock Trusts

Instrument # 181457

DRIGGS, TETON, IDAHO 04:48:44 No. of Pages: 2 2006-10-18 Recorded for : TETON COUNTY TITLE Ex-Officin Recorder Deputy % A NOLAN G. BOYLE

File Number: 50383 Toton County Title, LLC Watranty Deed - Trust

Page 1 of 2

181457

File Number: 40383

STATE OF Idaho) ss.
COUNTY OF Boundalle)

On this 17th day of October, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Sharla Galbraith, known to me and/or identified to me on the basis of satisfactory evidence, to be the Vice-President and Trust Department Manager of the Bank of Commerce, whose name is subscribed to the within instrument on behalf of The Bank of Commerce, Trustee of the Joseph W. Peacock and Claudia W. Peacock Trusts and acknowledged to me that she executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Residing at: Idaho. Palla, ID

My commission expires: 09-08-09

181457

180623

File Number: 50383

RECORDING REQUESTED BY: Teton County Title

AND WHEN RECORDED MAIL TO:

Teton County Title PO Box 338 Victor, ID 83455

Instrument # 180623

DRIGGS, TETON, IDAHO

2006-09-22 03:48:10 No. of Pages: 2 Recorded for : TETON TITLE

NOLAN G. BOYLE

Ex-Officio Recorder Deputy Index to DEED, WARRANTY

WARRANTY DEED

FOR VALUE RECEIVED

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the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Peacock Property, LLC, a Delaware Limited Liability Company

the grantee, whose current address is P.O. Box 10586 Jackson, Wy 83001

the following described premises, to wit:

See attached exhibit "A"

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

The Bank Of Commerce, Trustee for the Joseph W. Peacock Trust and As Trustee of the Joseph W. Peacock and Claudia W. Peacock Trust STATE OF Idaho **COUNTY OF** Bonneville On this 22 day of September, 2006 before me, the undersigned, a Notary Public, in and for said State, personally appeared Sharla Galbraith, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Vice-President and Trust Department Manager of the Bank Of Commerce, whose name is subscribed to the within instrument on behalf of The Bank Of Commerce, Trustee of Joseph W. Peacock and Claudia W. Peacock, Trusts and acknowledged to me that she executed the same as trustee.

WITNESS MY HAND AND OFFICIAL SEAL

Notary Public

Resides at: Tetoma, 1d

Dated: September 21, 2006

My commission expires:

180623

File Number: 50383 Teton County Title, LLC Warranty Deed - Trust Page 1 of 2

EXHIBIT "A"

A portion of Section 8, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho, being more particularly described as follows:

Commencing at the NE corner of said Section 8;

thence S 00° 06' 34'' E along the East line of said Section 8, also being the state line between Idaho and Wyoming, a distance of 845.12 Feet;

thence N 89° 50' 38" W along the South Boundary of that Parcel of land identified as Tax No. 3236 in the Records of said Teton County a distance of 623.20 Feet to a found ½ inch Rebar being the POINT OF BEGINNING;

thence along the boundary of Prime and Griggs parcels as identified at Tax No. 3015 and at Instrument No. 107904 in said Teton County Records for the following two courses:

- 1.) S 00° 06' 34" E a distance of 1397.61 Feet;
- 2.) S 89° 47' 03" E a distance of 623.30 Feet;

thence S 00° 06' 34" E along east line of Section 8 a distance of 60.01 Feet;

thence N 89° 47' 03" W a distance of 2405.10 Feet to a ½ inch Rebar with plastic cap bearing the PLS No. 5717;

thence N 89° 47' 12" W a distance of 1315.76 Feet;

thence N 00° 03' 32" W along the West line of said Section 8 a distance of 975.27 Feet to the NW corner of the SW ½ NW ½ of said Section 8, being a 5/8 inch Rebar with aluminum cap bearing the PLS No. 2860;

thence N 00° 07' 11"W along said West line of Section 8 a distance of 230.54 Feet to a ½ inch Rebar with plastic cap bearing said PLS No. 5717;

thence S 89° 49' 02" E a distance of 1316.06 Feet to a ½ inch Rebar with plastic cap bearing said PLS No. 5717;

thence N 00° 04' 17" W a distance of 249.26 Feet to a point, from which the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8 bears N 00° 04' 17" W 843.86 Feet distant;

thence S 89° 50′ 38" E along the South boundary of said parcel identified as Tax No. 3236 a distance of 1780.60 Feet to the POINT OF BEGINNING.

180626

RECORDING REQUESTED BY: Teton County Title

Instrument # 180626 DRIGGS, TETON, IDAHO

AND WHEN RECORDED MAIL TO: Toton County Tide PO Box 335 2006-09-22 03:57:02 No. of Pages: 2 Recorded for : TETON TITLE

PO Box 338 Victor, ID 83455 NOLAN G. BOYLE

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

WARRANTY DEED

FOR VALUE RECEIVED

Michael T. Prime and Robyn Prime, Husband and Wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Peacock Property LLC, A Delaware limited liability company

GRANTEE(S), whose current address is: P.O. Box 10586, Jackson, WY 83001

the following described premises, to wit:

See "Exhibit A" attached hereto

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Granter does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 21st day of September, 2006.

Michael T. Prime

Robyn Brime

STATE OF 184 HO)
COUNTY OF TELON)

On this 21st day of September, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared, Michael T. Prime and Robyn Prime, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same. WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Residing at:

My commission expires:

01.33.2007

180626

File Number: 50531

EXHIBIT "A"

Parcel 1:

Commence at the Northeast Corner of Section 8, Township 5 North Range 46 East, Boise, Meridian, Teton County, Idaho;

Thence South 0 degrees 11' 34" West along the East line of said Section 1544.25 feet to the point of beginning; thence Continue South 0 degrees 11' 34" West along said East line 699.12 feet; thence North 89 degrees 28' 34" West, 623.20 feet;

thence North 0 degrees 11' 34" East, 698.85 feet;

thence South 89 degrees 30' 05" East, 623.20 feet to the point of beginning.

Parcel 2:

Commencing at the Northeast corner of said Section 8, Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho;

Thence South 0 degrees 11' 34" West along "the Easterly line of said Section 845.12 feet to the, true point of beginning;

thence continue South 0 degrees 11' 34" West along said easterly line 699.13 feet;

thence North 89 degrees 30' 05" West, 623.20 feet; thence North 0 degrees 11' 34" East, 698.85 feet:

thence South 89 degrees 31' 37" East 623.20 feet to the point of beginning.

File Number: 50531

180625

RECORDING REQUESTED BY:

Teton County Title

AND WHEN RECORDED MAIL TO:

Teton County Title PO Box 338 Victor, ID 83455

Instrument # 180625

DRIGGS, TETON, IDAHO 03:54:44 No. of Pages: 2 2006-09-22

Recorded for : TETON TITLE

NOLAN G. BOYLE Ex-Officio Recorder Deputy Index to: DEED, WARRANTY

WARRANTY DEED

FOR VALUE RECEIVED

Neil R. Griggs & Virginia Griggs, Husband and Wife,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Peacock Property LLC, A Delaware limited liability company

GRANTEE(S), whose current address is: P.O. Box 10586, Jackson, WY 83001

the following described premises, to wit:

See "Exhibit A" attached hereto

And as relinquished property in an I.R.C. 1031 Tax Deferred Exchange

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 21st day of September, 2006.

Virginja Griggs

STATE OF Idaho

) ss.

COUNTY OF Bonneville

On this 21st day of September, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Neil R. Griggs & Virginia Griggs known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same. WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public

Residing at:

Notary Public for the State of Idaho Residing in Idaho Falls

My commission expires:

commission Expires 11-01-06

180625

File Number: 50531

EXHIBIT "A"

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Thence South 0 degrees 11' 34" West along "the Easterly line of said Section 845.12 feet to the, true point of beginning;

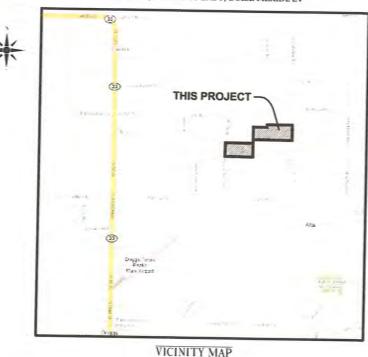
thence continue South 0 degrees 11' 34" West along said easterly line 699.13 feet; thence North 89 degrees 30' 05" West, 623.20 feet; thence North 0 degrees 11' 34" East, 698.85 feet:

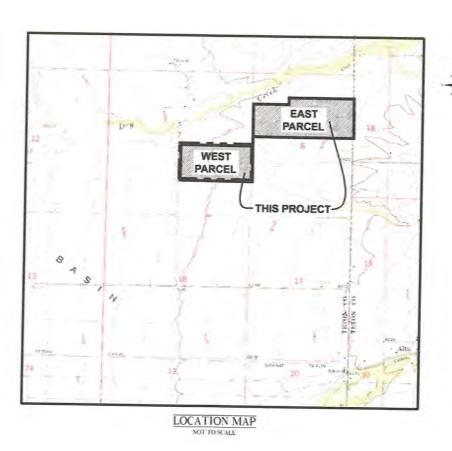
thence South 89 degrees 31' 37" East 623.20 feet to the point of beginning.

MOUNTAIN LEGENDS RANCH SUBDIVISION

CONCEPT MASTER PLAN

LOCATED WITHIN SECTIONS 7 & 8, TOWNSHIP 5 NORTH, RANGE 46 EAST, BOISE MERIDIAN





INDEX OF SHEETS

C101 COVER & VICINITY MAP

C201 EXISTING CONDITIONS

C301 OVERVIEW

SITE DATA

GROSS SITE AREA:

ZONING DISTRICT:

197.05 AC A/RR-2.5

0.39 LOTS/AC

TOTAL LOTS: DENSITY: 76

INDIVIDUAL PRIVATE SEPTIC SYSTEMS FOR ALL LOTS. INDIVIDUAL PRIVATE WELLS FOR ALL LOTS.

Received on: U-21-14 By: KMR

Draft # _ & Supersedes previous (Y)

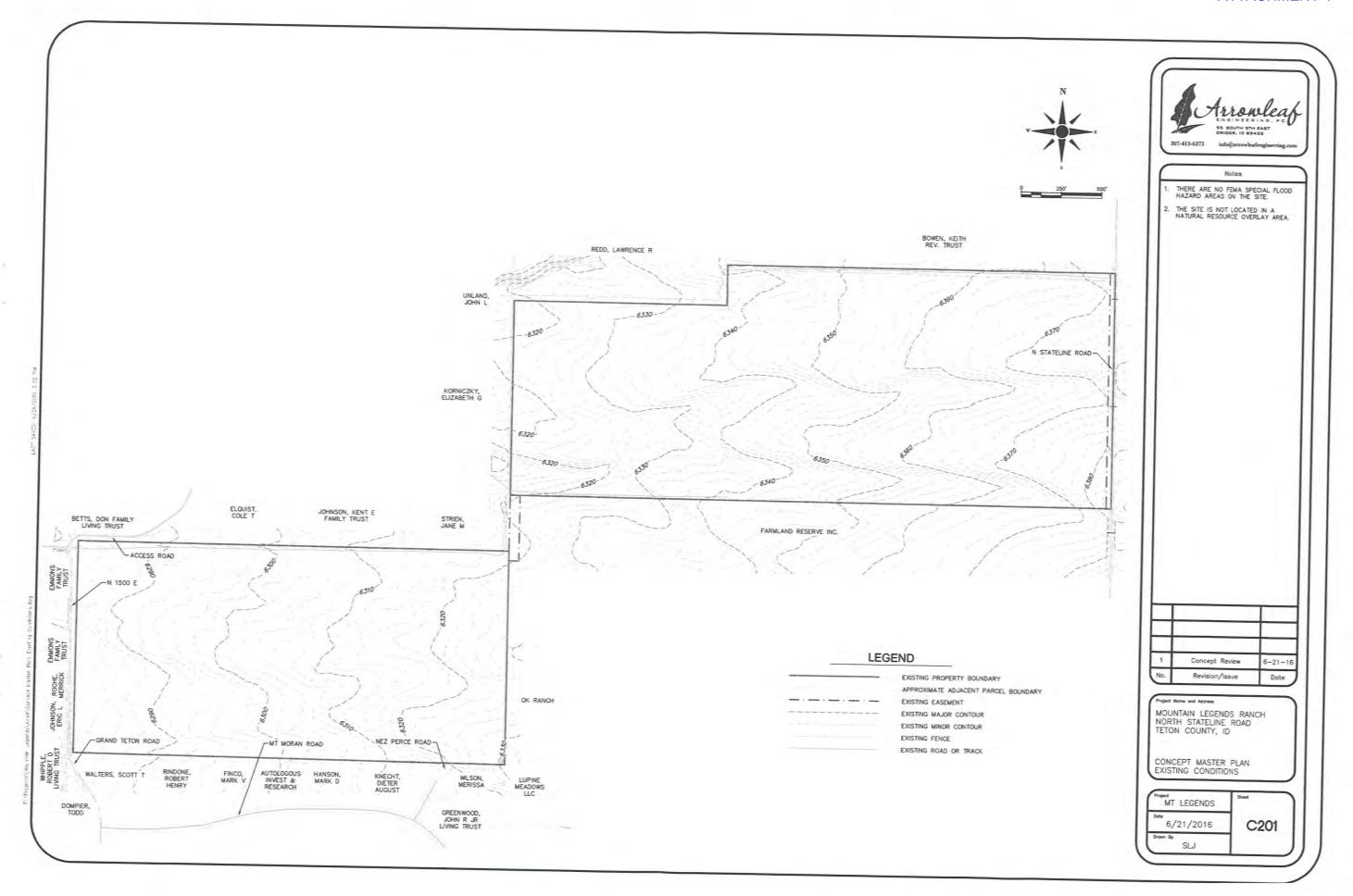
Submitted to BoCC or PZC Nearing

Hearing Dates 7-12-10

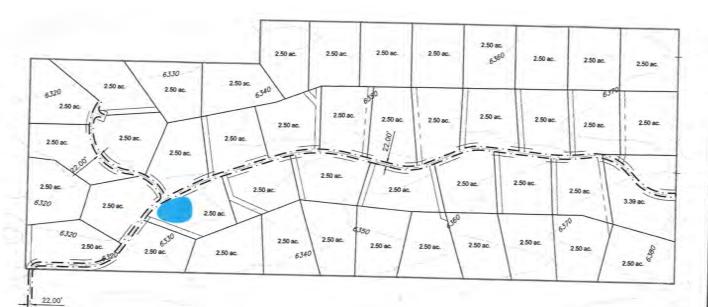
JUNE 21, 2016



307-413-6373 info@arrowleafengineering.com







2.57 ac.	5 2.50 ac.	2.50 ac. 2.50 a	11	/ \:	275 80.
254 ac 22.00'	Ü.	2.50 ac.	250 ac. 63	2.50 ac.	2.50 ac.
2.54 ac.	250 ac.	2.50 sc.	2.50 ac. 1 22.00	7	2.50 ac.
2.54 ac.	2.50 ac.	99	2.50 ac.	2.50 ac.	2.50 ac
2.54 ac.	2.50 ac.	2.50 ac. 3	250 85.	634	2.50 ac

LEGEND

EXISTING PROPERTY BOUNDARY
EXISTING EASEMENT
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
PROPOSED LOT LINE
PROPOSED ROAD CL
PROPOSED ROAD RIGHT-OF-WAY
PROPOSED SNOW STORAGE AND UTILITY EASEMENT

PROPOSED SNOW STORAGE AND UTILITY EASEMEN
PROPOSED DRIVEWAY AND GRADING EASEMENT

PROPOSED FIRE POND

Arrowleaf

307-413-6373 info@urrowleafen

Maria

THE LOT AREAS SHOWN DO NOT INCLUDE AREAS ENCUMBERED BY ROADWAY RIGHT-OF-WAY.

2. ALL SUBDIVISION ROADS ARE 22 FEET WIDE.

\Box		
+		+
1	Concept Review	6-21-16
No.	Revision/Issue	Date

Project Name and Address

MOUNTAIN LEGENDS RANCH NORTH STATELINE ROAD TETON COUNTY, ID

CONCEPT MASTER PLAN OVERVIEW

MT LEGENDS	Sheet
6/21/2016	C301
SLJ	

EXHIBIT _

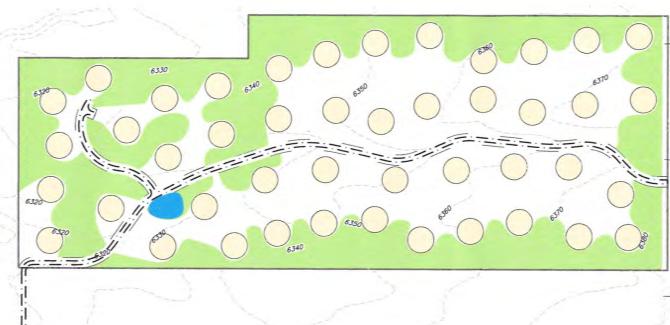
TO MOUNTAIN LEGENDS RANCH CCR

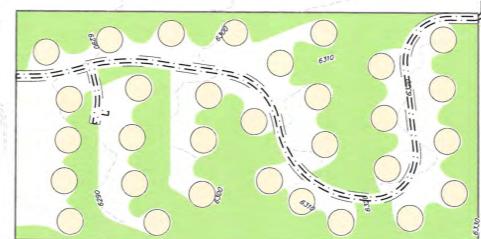






JUNE 21, 2016

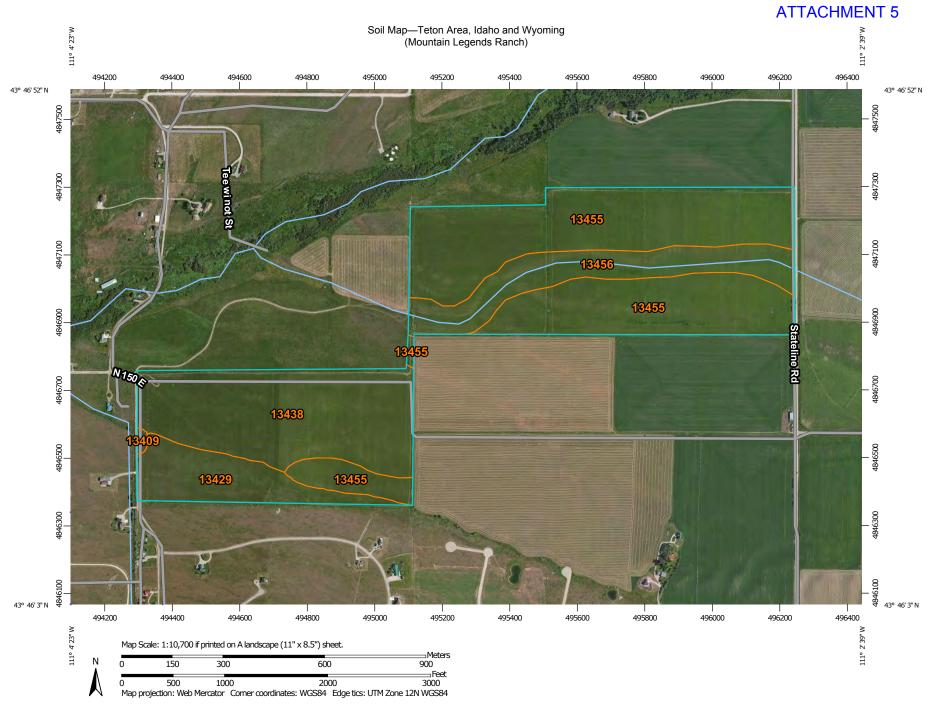








SUBDIVISION BOUNDARY
BUILDING ENVELOPE AREA
OPEN SPACE EASEMENT
ROAD RIGHT-OF-WAY
SNOW STORAGE AND UTILITY EASEMENT
FIRE POND
MAJOR CONTOUR
MINOR CONTOUR



MAP LEGEND

7

Δ

Water Features

Transportation

Background

Spoil Area

Stony Spot

Wet Spot

Other

Rails

US Routes

Maior Roads

Local Roads

Very Stony Spot

Special Line Features

Streams and Canals

Interstate Highways

Aerial Photography

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

Special Point Features

Blowout









... Gravelly Spot

Candfill

▲ Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Rock Outcrop

Perennial Water

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Teton Area, Idaho and Wyoming Survey Area Data: Version 5, Sep 25, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 20, 2011—Jul 21, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Teton Area, Idaho and Wyoming (ID650)				
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI	
13409	Snyderville gravelly loam, 0 to 4 percent slopes	0.5	0.2%	
13429	Alpine gravelly loam, 0 to 2 percent slopes	19.2	9.7%	
13438	Altaby-Alpine complex, 0 to 4 percent slopes	53.0	26.8%	
13455	Kucera-Lostine complex, 0 to 4 percent slopes	98.1	49.6%	
13456	Iphil-Ririe complex, 4 to 20 percent slopes	27.1	13.7%	
Totals for Area of Interest		197.8	100.0%	



Teton County Planning Department

150 Courthouse Drive, Room 107 | Driggs, ID 83422

Phone (208) 354-2593 | Fax: (208) 354-8410

www.tetoncountyidaho.gov

FROM: Kristin Rader, Interim Planning Administrator

TO: Harry Statter; Sarah Johnston, Arrowleaf Engineering; Herb Heimerl, Heimerl Law Firm, PC

CC: Darryl Johnson, Teton County Public Works Director; Kathy Spitzer, Teton County Prosecuting

Attorney; Earle Giles, Teton County Fire District; Mike Dronen, EIPH;

RE: Mountain Legends Ranch Subdivision, Concept – DRC Meeting Notes

DATE: June 16, 2016

Harry, Sarah, and Herb, the purpose of this letter is to summarize the meeting we had on Tuesday June 14, 2016.

Roads & Utilities

- Roads need to meet the County's Adopted Road Standards.
- The road rights of ways cannot be factored into the acreage of the lots this includes the twothree public roads that border the subdivision.
- The subdivision road surface, 22 feet wide, can be considered the right of way, taken out of the lot areas, if this is designated as a private road. On each side, a 19-foot easement designated for snow storage and private utilities needs to be shown (this is included in the lot area).
 - o Include in the Development Agreement and/or plat and the CC&Rs that the County may make these roads public in the future.

Fire Protection

- This project does require Fire Protection.
- From Earle Giles:
 - Per the 2008 subdivision resolution and the 2012 International Fire Code, Code section 2.3.4
 referring to subdivisions with 30 or more residential lots, the water supply will need to be
 increased.

Sewer/Septic

- From Mike Dronen:
 - o The Mountain Legends Ranch proposal requires an EIPH subdivision assessment application and review. I will contact the applicant and engineer with the information we will be looking for.

Plans & Studies

- Landscaping Plan: This plan will be required for Preliminary Review. This shall include a vegetation/revegetation plan identifying locations where vegetation will be installed in order to replace existing vegetation or revegetate disturbed areas, a plan for weed management, a stabilization plan to cover any disturbed slopes, and a plan to provide screening from neighboring properties or from State Highways 31, 32, 33 or Ski Hill Road.
- Traffic Study: A technical memo attached to the original Traffic Study explaining that the impacts have decreased should be sufficient. This will be required for Preliminary Review. Please submit this to the County Engineer.
- **Public Service/Fiscal Analysis:** This study needs to be based on the proposed subdivision. It may be possible to update the previous study to show specifics based on the fewer lot design.

ATTACHMENT 6

- **Nutrient Pathogen Evaluation:** There are three triggers that may apply to this development. If one of these exist, the Nutrient Pathogen Evaluation will be required for Preliminary Review.
 - o There is evidence that ground water, at some time of the year, comes within ten feet of the ground's surface at any location on the proposed development parcel; or
 - There is evidence that soil depth to fractured bedrock is ten feet or less anywhere on the proposed development; or
 - The proposed development is within an area where the concentration of nitratenitrogen in ground water is five (5) mg/L or higher

More information on the required studies can be found in the Teton County Code, Title 9.

Public Hearing Information:

You are scheduled for the Teton County Planning and Zoning Commission public on **Tuesday**, **July 12**, **2016** at **6:00 PM**. This public hearing is at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho. A notice, agenda, and meeting packet will be sent to you no later than the week before the meeting. Public hearings are required for the Preliminary and Final stages of this process. The scheduling of those will depend on your application submittal dates.

ATTACHMENT 7

Teton County Planning Department 150 Courthouse Drive, Room 107 | Driggs, ID 83422 Phone (208) 354-2593 | Fax: (208) 354-8410 www.tetoncountyidaho.gov

June 24, 2016

RE: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

This letter is to notify you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. According to the Teton County Code (9-3-2B), the purpose of the Concept Review is to discuss, in general, the feasibility and possibility of building the proposed subdivision, including its conformity with the Comprehensive Plan, its relationship to surrounding development, any site conditions that may require special consideration or treatment, and to discuss and review the requirements of the Teton County Code. It is not to determine the exactness of each item required in the checklists of the preliminary and final plat process.

Because the proposed subdivision is proposed to have more than 10 lots, a public hearing with the Teton County Planning & Zoning Commission (PZC) is required for Concept Review approval. For approval of Concept Review of a proposed subdivision, the County shall consider the objectives of Teton County Title 9, in addition to the applicant's narrative explaining the impact of the development, and in a general way, at least the following:

- a. The conformance of the subdivision with the comprehensive plan.
- b. The availability of public services to accommodate the proposed development.
- c. The conformity of the proposed development with the capital improvements plan.
- d. The public financial capability of supporting services for the proposed development.
- e. Other health, safety, or general welfare concerns that may be brought to the County's attention.

The planning staff is soliciting comments from people in the vicinity of the applicant's property, so we can be aware of neighborhood issues related to the application and incorporate your comments into the staff report to the PZC. Please provide comments related to this application and the criteria of approval listed above.

Applicant & Landowner: Peacock Property LLC **Zoning District:** A 2.5

Legal Description: RP05N46E084500 - TAX #6485 SEC 8 T5N R46E; RP05N46E078250 - TAX #6484 SEC 7 T5N R46E

Parcel Size: 197.05 acres

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. Two lots will be 2.5 acres, and the third lot will be 3 acres. A small portion of this property is located in the Scenic Corridor; however, no development is proposed there, so a Scenic Corridor Design Review is not required.

PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **July 12, 2016** on this matter. This application is scheduled as the second item on the agenda, at **6:00pm**. The meeting will begin at 4:00 p.m.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the PZC department page, then select the 7-12-2016 Meeting Docs item in the Additional Information Side Bar. <a href="https://written.comments.will-be-included-in-the-packet-of-information-provided-to-the-Commission for consideration-prior-to-the-hearing-if-they-are-received-in-the-Planning Department no later than 5:00pm on July 5, 2016. Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of the Planning and Zoning Commission or Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to contact Kristin Rader, Interim Planning Administrator (krader@co.teton.id.us).



ATTACHMENT 7

Teton County Planning Department 150 Courthouse Drive, Room 107 | Driggs, ID 83422 Phone (208) 354-2593 | Fax: (208) 354-8410

www.tetoncountyidaho.gov

TETON

June 30, 2016

RE: CORRECTION - Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

On June 24, 2016, you were sent a letter notifying you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. In that letter, the Description of Application read as follows:

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. Two lots will be 2.5 acres, and the third lot will be 3 acres. A small portion of this property is located in the Scenic Corridor; however, no development is proposed there, so a Scenic Corridor Design Review is not required.

The last two sentences of that description were an error. The Description of Application should read as follows:

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. The lots will be 2.5 acres, with approximately 100 acres in open space easements. These parcels are zoned A-2.5.

I apologize for this error and any confusion it may have caused. Nothing with this application has changed from the previous notice. Application materials and a staff report are available on the Teton County, ID website. I have also included the public hearing information from the original notice at the bottom of this letter.

If you have any questions related to this application, please do not hesitate to contact the Planning Department using the contact information above.

Sincerely,

Kristin Rader

Interim Planning Administrator

PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **July 12, 2016** on this matter. This application is scheduled as the second item on the agenda, at **6:00pm**. The meeting will begin at 4:00 p.m.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the PZC department page, then select the 7-12-2016 Meeting Docs item in the Additional Information Side Bar. <a href="https://written.comments.org/writ

The public shall not contact members of the Planning and Zoning Commission or Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

June 30, 2016

Teton Co. Planning Department 150 Courthouse Drive Room 107 Driggs, Idaho 83422

Dear Ms. Rader.

I received your notice regarding Peacock Properties application to develop a 76-lot subdivision in the mail yesterday. Although I appreciate your invitation to submit comments, the fact that the notice comes on the cusp of a long holiday weekend (visiting family staying through Monday) limits my ability to adequately study the proposal prior to your July 5th deadline. Despite this reality, I do have several questions that I would like addressed that do not require extensive study of the specific plan or Teton County codes.

1) The map you mailed us demonstrates that there are already well over 100 approved but undeveloped building lots that are accessed via 2500 N., Stateline Rd. and 5000 N. You are now preparing to add another 76 lots, essentially doubling the ultimate "build out" number. My question: Is this a funded project or unfunded liability on Teton County Idaho and its taxpayers?

An Example. Although, significant expansion of a number of County services will be required at build out, I will posit an obvious significant and expensive requirement. N. Stateline Rd (and Feeders), which is currently maintained by Teton Co. Wyoming, is a dirt/gravel road (beyond 2500 N.) that cars, farm/construction equipment, bikes, and dog walkers share. It is narrow, has several steep hills, blind dips and driveways etc. Fortunately, despite frequent lack of compliance with posted signage, traffic load is still low enough that no significant accidents have occurred (although we have all had near misses). Since Teton Co. Idaho has approved build out of Snow Crest, Mountain Ridge, Surprise Valley (and multiple other subdivisions) and presumably now Mountain Legends Ranch, I hope you can direct me to a comprehensive road improvement plan that includes estimates of the number of vehicle trips at complete build out, what roads and feeders will need specific upgrades and the cost of same. Such a plan would ensure the safety (most importantly), convenience and pocket books of all users.

Equally importantly, where is the funding coming from? I lived and worked in Boise, ID for 25 years and was confronted with a similar situation (rural roads accessing new proposed subdivisions). I have included as an appendix how this challenge was addressed (specifically) including the projected costs of road improvement over an estimated 20-year build out (prepared by the Ada Co. Highway District). You will see that the funds are supplied by a

Page: 2

special impact fee on the developments and in the case of Cartwright Rd, the developers were required to do a 1.6 million dollar upgrade.

In short, no tax dollars or standard impact fees were used. This development plan was proactively funded and not and unfunded liability that would fall on Ada Co. taxpayers after the developers had sold their lots and met their personal/corporate financial needs.

This is an example of thoughtful, responsible zoning and planning; infrastructure kept up with demand and was financed by those who profited from the sale of lots and built homes in the new subdivisions. It is my sincere hope that the Teton Co. Idaho Commissioners and Planning and Zoning have performed similar due diligence.

If for some reason you do not have such planning and financing specifically worked out no further build out should proceed (until such a plan is completed and approved). To move forward with an additional 76 new lots without such a plan is to put hope over reason and to throw fiscal responsibility to the wind.

In addition to the multiple road issues, your notice confirms that you will be addressing the challenges of hundreds of new private septic systems and wells on our water quality (Dry Creek, drainage), EMS, Fire etc. (the later two presumably funded by standard impact fees/property taxes). I also suspect but do not see specifically addressed in your flyer, that you will be in negotiations with Teton Co, Wyoming with respect to future plans for improvement, maintenance and financing of North Stateline Rd.

I first saw Teton Valley, ID in 1967 and started recreating here on a regular basis in 1984. My wife and I were fortunate to be able to move to the Valley in 2009. It is a special place and I understand why others want to be able to experience this wonderful valley as I do. They should be able to do so but the development should be clearly thought out and proactively financed or the very things that brought all of us here will be lost and the infrastructure quality and passed on costs will further degrade our quality of life.

My concerns and questions noted above are practical and specific and have been successfully addressed in other Idaho County's. I look forward to your response.

Sincerely, KC. Murphy MD. Diane Murphy kcdmurphy@mac.com (208-863-6164)

Addendums on next page:

Page: 3

- 1) Ada CO. Highway District Plan for road improvements for Cartwright Ranch and Hidden Springs Development. The two developments were initially accessed via rural/dirt roads (Cartwright Rd. Pierce Park Lane, Dry Creek Rd and Seaman's Gulch Rd.)
- 2) A picture of the Teton Valley Winter Elk Herd in our alfalfa field last January. This is located about 300 yards from the Mountain Legends Ranch Development. The herd typically moves over to the Mountain Legends land later in the month. We typically and ironically often name our developments after animals or natural features we eliminate or displace in order to build ("Moose/Elk Meadows Ranch" etc.). This is not a reason to halt development but it is something to keep in mind as you carry the heavy responsibility (your public service legacy) of maintaining the many unique features that make this valley such a special place. KCM.

Ada County Highway District 6/29/16, 1:16 PM



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Cartwright Road Reconstruction

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General Description

Cartwright Road from the intersection of Dry Creek Road to Pierce Park Lane will be reconstructed over the next six months to create a wider, safer road. The developers of Cartwright Ranch are doing the estimated \$1.6 million project, which was required by Ada County Highway District.

The road will be closed during construction, which starts on April 14, 2008 and will end in early October.

Cartwright will be expanded from a 22-foot-wide road to a 32-foot-wide road with two, 11-foot-wide vehicle lanes and two, 4-foot-wide paved shoulders, which will greatly increase safety for cyclists, pedestrians and stalled cars. The new road will also have one-foot-wide gravel shoulders.

Extensive earth moving forced the road closure. The Cartwright hill between Dry Creek and Pierce Park will be reduced by about 15 feet and the grade reduced from 12-to-14 percent to 10 percent. The Cartwright/Pierce Park intersection will also be rebuilt to eliminate the current, sharp angle and create a more traditional T-shaped intersection.

A second segment of Cartwright Road, the section from the future 36th Street extension to the entrance of the Owyhee Motorcycle Club, is also likely to be widened as part of this project. The current road section ranges from 20 to 25 feet in width and will be reconstructed to the 32-foot-wide section mentioned above: two, 11-foot-wide vehicle lanes, two, 4-feet-wide paved shoulders and two, 1-foot-wide gravel shoulders. This second phase of the work would eliminate the last of the narrow sections of the road and has received preliminary approval from the impacted property owner. The second phase will likely occur in the summer.

The road work is being done in advance of the construction of the Cartwright Ranch Planned Community, which is located on Cartwright Road almost mid way between Dry Creek Road and Pierce Park Lane. The planned community eventually will have 620 homes. The subdivision will be capped at 275 units until the nearby extension of 36th Street to Cartwright Road is made, and that project has not been scheduled. (Until the second segment of Cartwright Road improvements is completed, the subdivision will be limited to 200 homes.) Cartwright Ranch was originally approved as Neville-Nordling Ranch subdivision in June 2001 but was subsequently modified extensively and approved by ACHD and Ada County in early 2008.

PROJECT MANAGER

Chanon Romo 208.387.6275 cromo@achdidaho.org

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Cartwright Ranch is estimated to generate 5,477 vehicle trips a day at build out of the subdivision. As part of the project, two roads will be extended west into Hidden Springs: Hidden Springs Drive and Farm View Drive.

Funding for the road improvements comes from the West Foothills Overlay District, which collects a special impact fee on developments in the area and includes Hidden Springs as well as Cartwright Ranch. No tax dollars or standard impact fees paid by development are being used.

Time Frame

Start Date: April 7, 2008 End Date: Early October, 2008

Impact on your Commute

Through early October, motorists will need to detour to Hill Road and Seamans Gulch to access the Hidden Springs area.

Title VI and the Americans with Disabilities Act | Non-discrimination

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Ada County Highway District | 3775 Adams St. Garden City, Idaho 83714 P 208.387.6100 | F 208.387.6391 | Monday thru Friday 8 a.m. to 4:30 p.m.

For questions or problems with this Web site contact the Webmaster

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FINANCIAL

Exhibit five identifies estimated costs for needed roadway improvements based on 1997 construction and right-of-way indices provided by ACHD. These costs were increased by 40% when projects were located in the foothills area. This increase reflects the estimated costs for additional earthwork and drainage/structural needs. Where roadway improvements were needed on existing residential streets, construction costs were increased by 50% to reflect the cost of mitigation and/or traffic calming measures. Where operational improvements were identified, cost estimates were based on \$200,000 per intersection affected.

The strategy is to have foothills development pay for those roadway improvements directly attributed to such development, including mitigation and traffic calming. Improvements on the regional circulation system, i.e., arterials south of Hill Road may, perhaps should, be paid for by regional growth (including a share from the foothills). ACHD adopted Interim Foothills Overlay Assessment Districts on January 28, 1998. The purpose of the new assessment districts is to provide a stream of revenue for roadway construction in the Foothills necessitated by increased usage resulting from development. Each new dwelling in the Foothills will pay an additional road assessment specifically for the purpose of paying for upgrading classified roadways (collectors and arterials) to the appropriate standard and number of lanes.

The Foothills Overlay Assessment Districts coincide with the three planning areas (West, Central, and East Foothills) established by the *Boise Foothills Policy Plan*. The overlay assessment will be different in each District due to different roadway costs and the proposed number of dwellings. The overlay assessments were adopted on an interim basis, pending further legal and technical review, as well as the adoption of a Foothills Transportation Plan by the City of Boise, Ada County and ACHD.

Exhibit 5

COST ESTIMATES FOR ROADWAY PROJECTS SERVING THE FOOTHILLS AREA NEEDED IN THE NEXT 20 YEARS

WEST	umu pars
State Street: Gary Lane to Downtown Boise Pierce Park Lane: Hill Road to Cartwright Road Cartwright Road: Dry Creek Road: SH 55 to 36th Street 36 th Street: Hill Road to Bogus Basin Road Hill Road: Seaman Gulch Road to Gary Lane Seaman Gulch Road: Hill Road to Dry Creek Road	\$1,800,000 2,146,000 3,729,000 4,945,000 400,000 736,000
EAST	
New Collector: North of Warm Springs Avenue New Collector: Warm Springs Mesa	\$3,400,000 840,000
TOTAL	\$17,996,000

Loads that Jean a to Higger source our places



ATTACHMENT 8





208 354 3871 www.tetonwater.org

18 North Main Street, Suite 310 PO Box 768 Driggs, Idaho 83422

To: Kristin Rader

Re: Concept Review approval hearing for Peacock Property LLC proposed subdivision

Dear Kristin,

I am writing to you on behalf of Friends of the Teton River, to comment on the "Mountain Legends Ranch" concept application proposed for the 197.05 acre property owned by Peacock Property LLC .

Friends of the Teton River works for clean water, healthy streams, and resilient fisheries in the Teton River watershed. As such, we at times comment on proposed land use changes that we believe may have an impact on drinking water, flood protection, stream channels, and/or fish and riparian wildlife protection.

We believe that the proposed Mountain Legends subdivision should be required to perform a Nutrient Pathogen Evaluation, because the subdivision meets the following criteria as described in Article 9, Appendix A of the Teton County Land Use Code:

- The proposed development is within an area where the concentration of nitrate-nitrogen in groundwater is five mg/l or higher. Data collected by Friends of the Teton River in 2012 and 2016 indicates that several properties with addresses on Grand Teton Road and Deer Springs Road showed nitrate-nitrogen levels of at least 5 mg/L. The proposed subdivision is within the same area as these addresses, and likely up-gradient from a groundwater flow perspective. It should be incumbent upon the developer to demonstrate that plans for sewage treatment will not further increase the concentration of nitrate-nitrogen in the area.
- There is evidence that groundwater comes within ten feet of the ground surface on the proposed development parcel some time of the year. There is a swale/low area running through the middle of the property. It should be incumbent upon the developer to demonstrate that groundwater does not come within ten feet of the ground surface in this low area during the springtime, when standing water is seen on the surface in similar areas on adjoining properties.

Please let me know if you have questions or need additional information.

Sincerely,

Amy Verbeten, Executive Director Friends of the Teton River (208)354-3871 x 13

any Verbeten

amy@tetonwater.org

Well Address	City	Test Results	Additional Info
Yellow Rose Dr.	Alta	2	Wyoming
W. Teton Hideaway	Alta	2	Wyoming
Leigh Lane	Alta	2	
Greenville Rd	Alta	0	Wyoming
N Bustle Creek Rd	Alta	5	Wyoming
Alta North Rd	Alta	2	Wyoming
E. Ski Hill Rd	Alta	0	Wyoming
Perimeter Drive	Alta	0	Wyoming
E Bustle Creek Drive	Alta	2	Wyoming
	Alta	0.5	
Bates Rd.	Driggs	0.5	faucet
S. Main St.	Driggs	0.5	B-1
Bates Rd.	Driggs	0.5	Filtered
Little Ave	Driggs	0.5	
Aspen Meadows Dr.	Driggs	2	
S. Deer Springs Rd	Driggs	2	
Buttermilk Drive	Driggs	0	
West Ridge Ranch	Driggs	5	
Ski Hill Rd.	Driggs	0	
Deer Springs Rd.	Driggs	5	
Wild Cat Canyon Loop	Driggs	2	
S. Stateline Rd.	Driggs	0	
Rigby Rd	Driggs	5	
E. 1000 S.	Driggs	2	
Table Rock Dr.	Driggs	0.5	
Honeybee Lane	Driggs	0.5	
Mt. Washburn	Driggs	0.5	
Mt Davidson	Driggs	0.5	
Grand Teton Rd.	Driggs	5	
Cobblecrest	Driggs	0	
E 3500 N	Driggs	0.5	
S 385 E	Driggs	0.5	
Middle Teton Rd	Driggs	0.3	
E 2000 South	Driggs	0	Darby Canyon PW
N Hwy 33	Driggs	2	Darby Carryon i vi
Old Rightaway Rd		0.5	
Talon Cr	Driggs	0.5	
Fall line dr	Driggs	5	
Brand Street	Driggs Driggs	0.5	
W 4000 N	Driggs	0.3	
W 1000 S		0.5	
S 5000 S	Driggs	0.5	
	Driggs		
S Agate	Driggs	0	
S Agate	Driggs	0	
S 500 W	Driggs	0	
S 500 W	Driggs	0	
N 5500 W	Driggs	0.5	
S Bates	Driggs	0.5	
S 1333 W	Driggs	0	
Mtn Meadows Dr	Driggs	2	
Grand Teton Rd	Driggs	5	
Teton High School	Driggs	0	
Packsaddle	Driggs	0.5	
S 70 West	Driggs	0	
South 500 West	Driggs	5	
S Aspen Drive (Packsaddle Estates)	Driggs	0	
Butler Lane	Driggs	2	

Dana Carinas Land	D.:		
Deer Springs Lane	Driggs	2	Myomina
N Highway 33	Driggs		Wyoming
South 3500 West	Driggs	0	
South 2000 East	Driggs	0	
Wildcat Canyon Rd	Driggs	2	
Deer Springs Rd	Driggs	2	
Fall Line Drive	Driggs	0.5	
Targhee Ranch Subdivision	Driggs	0.5	
Black Bear Drive	Driggs	2	
North State Line Rd	Driggs	2	
Clearview Drive	Driggs	0	
Table Rock Drive	Driggs	2	
Mt Davidson Drive	Driggs	0	
Mt Meadow	Driggs	5	
Wildcat Canyon Loop	Driggs	2	
Targhee Ranch Subdivision	Driggs	0	
Westend Woodrush Lane	Felt	5	
	Swan Valley	0.5	
E. 1000 N.	Tetonia	0	
River Rim Ranch Rd.	Tetonia	0	
Chache Vista Dr.	Tetonia	0.5	
8000 W.	Tetonia	0	
W. 13000 N.	Tetonia	5	
Blue Ridge Ln.	Tetonia	5	
Fischer Lane	Tetonia	2	
Fischer Lane	Tetonia	0.5	
N. 500 E.	Tetonia	2	
W. 4000 N.	Tetonia	2	
W. 7000 N	Tetonia	0	
N 3000 W	Tetonia		city water
N 3000 W	Tetonia	2	city water
N 1965 E Staghorn Dr	Tetonia	2	
Brown Drake Ct	Tetonia	2	
River Rim	Tetonia	2	
Leigh Creek Estate Rd	Tetonia	0.5	
Beaver Blvd			
	Tetonia	0	
Renegade Dr	Tetonia	0.2	
N 2250 E	Tetonia	2	
N 700 W	Tetonia	0	
Badger Creek Rd	Tetonia	0	
Apsaroka Ln	Tetonia	0	
Wolverine Way	Tetonia	0	
Moonlight Ln	Tetonia	2	
Quartz Drive	Tetonia	0.5	
Rammell Mt Rd	Tetonia	2	
W 6000 N	Tetonia	2	
N 500 W	Tetonia	2	
W Highway 33	Tetonia	2	
W Highway 33	Tetonia	2	Cabin
W 8750 N	Tetonia	2	
W 8750 N	Tetonia	0	
Broken Arrow Rd	Tetonia	0	
N 6600 W	Tetonia	0.5	
N 500 W	Tetonia	2	
Thistle Creek	Victor	2	
S. 5000 W.	Victor	0	
Bald Eagle Dr.	Victor	0	
E. 4500 S.	Victor	2	
E. 5500 S.	Victor	0	
		•	

1	1	
Country Club Dr.	Victor	2
Thistle Cr. Dr.	Victor	0.5
E. 4000 S.	Victor	5
E. 5000 S.	Victor	0
S. 1000 W.	Victor	0
Oliver Rd.	Victor	0
S. 4500 W.	Victor	2
W. 4500 S	Victor	0
Diamond T Trl	Victor	2
S 500 W	Victor	0.5
Steller End	Victor	2
S Hwy 33	Victor	2
Avalanche Rd	Victor	5
S 60 E	Victor	5
Sweet Home Dr	Victor	0
village way	Victor	0
Larkspur Meadows	Victor	0.5
Riverbend Ln	Victor	5
S 500 W	Victor	0.5
S 700 W	Victor	0
S 600 W	Victor	0
Running Horse Trail	Victor	0.5
W 7000 S	Victor	0.5
Sorenson Creek	Victor	0
W 7000 S	Victor	0
Mustang Trail	Victor	5
Thistle Cr Dr	Victor	2
Storm View Loop	Victor	0.5
E 4500 S	Victor	5
9500 South	Victor	0
South Highway 31	Victor	0
West Birch Street	Victor	0.5
Sorenson Creek Rd	Victor	0
West 4000 South	Victor	0.5
S 500	Victor	0
Taylor Ridge Lane	Victor	0.5
Running Horse Trail	Victor	0
W 9600 S	Victor	0.5
Shadowmoon #321		0
Line View Ln		2
		0.5
		1 2.01

 Total at 10 mg/L or greater
 Total at 5 mg/L or greater
 Total <2 mg/L mg/L mg/L</th>

 0
 18
 47
 93

 0%
 11%
 30%
 59%